

VZCZCXRO5660
PP RUEHDBU RUEHFL RUEHKW RUEHLA RUEHNP RUEHROV RUEHSR
DE RUEHRL #0333 0791526
ZNY CCCCC ZZH
P 201526Z MAR 09
FM AMEMBASSY BERLIN
TO RUEHC/SECSTATE WASHDC PRIORITY 3635
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY
RUCNFRG/FRG COLLECTIVE PRIORITY

C O N F I D E N T I A L BERLIN 000333

SIPDIS
PLEASE PASS TO NANCY HEWITT, DRL/IRF

E.O. 12958: DECL: 03/20/2018
TAGS: [GM](#) [KIRF](#) [PGOV](#) [PHUM](#) [PREL](#)
SUBJECT: CHURCH OF SCIENTOLOGY VS. BERLIN DISTRICT - THE
HEATED BATTLE CONTINUES

Classified By: Minister-Counselor for Political Affairs Jeffrey D. Rath
ke for reasons 1.4 (b) and (d).

(1) (SBU) Summary: The Berlin Church of Scientology (CoS) scored a legal victory on February 27, 2009, against the Berlin District of Charlottenburg-Wilmersdorf over the District's decision to erect an advertising pillar with two placards saying "STOP SCIENTOLOGY" directly in front of the Church's headquarters. But the victory may prove short-lived. The District immediately appealed the Administrative Court's decision. After PolOff's discussions with the District -- to convey our concern that the controversial placards were discriminatory toward Scientology -- and the CoS, it is clear that both parties will remain locked in a complex legal and political battle for the foreseeable future. End summary.

(2) (U) On February 27, the Berlin Administrative Court ordered the immediate removal of a kiosk with anti-Scientology placards placed by the Berlin District of Charlottenburg-Wilmersdorf directly in front of the Berlin CoS headquarters. The placards, erected by Berlin City officials reportedly in the middle of the night on January 21, urged the public to "STOP SCIENTOLOGY" and be on their guard against the "sect's" operations. The Court found that the City's actions violated the CoS's right to human dignity under Article I of the German Constitution and the CoS's right to religious freedom under Article IV. In reaching these conclusions, the Court held that the City of Berlin had violated its duty of religious neutrality and its obligation to remain objective on religious matters. The Court also ruled that the City's warning campaign served no justifiable purpose. After hearing the verdict, Sabine Weber, President of the CoS in Berlin, told PolOff: "We are happy that the Court has reaffirmed our right to religious freedom." The District's response was swift as they launched an immediate appeal of the Court's decision.

(3) (C) On March 18, PolOffs met with District mayor Monika Thiemen and District council member Marc Schulte, who is also responsible for Scientology issues. Poloffs conveyed Post's concern that the placards erected by the District were discriminatory toward the CoS and that we would be documenting the case in this year's Country Human Rights Report. Thiemen and Schulte were cordial but confirmed that the District appealed the Court's decision because they remain fundamentally opposed to the CoS's mission and the nature of their "nefarious" activities in their District, including what they characterized as the "frequent" harassment of passers-by. Thiemen and Schulte also raised their concerns with the CoS's street outreach activities so close to a high school. They indicated that they would "continue to oppose Scientology at every level," including in libraries, high schools, and universities, where the CoS attempts to distribute reading material. On the other hand, the mayor indicated that the District would abide by the Court's future verdict, even if, it was not in the District's favor. In response to Poloffs query, Thiemen and Schulte

said that recent discussions with CoS Berlin President Sabine Weber did not result in any resolution of the dispute.

(4) (SBU) On March 19, PolOff met with Weber and CoS Press Spokesman Reinhard Egy to discuss CoS reactions to the District's appeal and their perceptions of the District's efforts to undermine their religious mission. Weber maintained that the CoS was "ecstatic" about the Court's ruling, but the CoS predicted their victory would prompt an "aggressive" response on the part of the District's authorities. For their part, Weber and Egy indicated that the CoS would continue to operate within the parameters of German law and would oppose discrimination against the CoS and its members. They maintained that the CoS would remain steadfast in its efforts to promote Scientology via street outreach and information stands throughout Berlin, despite efforts undertaken by the District and Police authorities to disrupt the CoS's outreach activities.

(5) (SBU) Comment: This heated battle reveals a great amount of emotion and animosity on both sides, which is exacerbated by the fact that the District, in particular the elected District Council feels annoyed by the CoS's physical presence in the immediate neighborhood of the District City Hall. According to Egy, the CoS's attempts to reach out to elected District officials to discuss Scientology's mission are met with silence and even "hateful" responses. Post will continue to monitor and document this heated battle between the CoS and the Berlin district and, where warranted, register any concerns we have about discriminatory actions. Koenig